

REMARKS

The Examiner has rejected all claims as anticipated with claims 10-13 anticipated by the King reference '388 and claims 14-18 and 20 rejected in view of Craig '762.

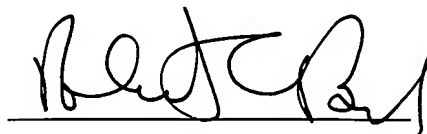
The Applicant has amended the independent claims to narrow the description of the anchoring member. As seen in the figure Applicant's anchor structures include barbs which pass easily into the tissue in a first direction and yet withstand traction when they are pulled upon. This differs from the toggles shown in the Craig reference as seen deployed in Fig. 7 and 8 of Craig, and differs from the simple tapered section seen as element 93 in several figures of the King reference. The barbed structure called for by the claim is not anticipated by the reference since it is not found in either reference. The substitution of one form of anchor for another is not an obvious modification to one of ordinary skill in the art since each of the several anatomic structures shown in the references have differing physical structure and anatomical requirements. For these reasons the claims as presented in amended form should be considered allowable.

CONCLUSION

All of the claims remaining in this application should now be seen to be in condition for allowance. The prompt issuance of a notice to that effect is solicited.

Respectfully submitted,
ATRITECH, INC.
By their attorneys:

Date: 12/16/08



Robert C. Beck
Registration No. 28,184
Beck & Tysver, P.L.L.C.
2900 Thomas Ave., #100
Minneapolis, MN 55416
Telephone: (612) 915-9635
Fax: (612) 915-9637